

external to the 'moving' system of moving masses, is then used to produce electrical or mechanical energy...

Thus, the claimed invention is directed to a structure that does not "create" energy, but instead to a structure that taps a hitherto unrecognized source of energy. The claimed structure under consideration no more "creates" energy than the current generated in an electrical conductor, when moving through a magnetic field, "creates" electrical power, or that the magnetic field set up by a current flowing through a conductor is "created" in defiance of the principle of conservation of energy. We just do not know how or why these phenomena occur, but occur they do, and the world as we know it today would be unthinkable in the absence of an exploitation of these phenomena.

As a result, applicant's claimed invention does not "create" energy and add it to the sum total of the energy of the universe, as stated in the instant Official Action. The claimed invention, in contrast, is directed to a physical structure that converts a difference in the kinetic energies of masses that move relative to each other into some useful work.

The Examiner's attention now is invited, in this respect, to applicant's Declaration Under 37 C.F.R. § 132\* that is submitted herewith. Upon review of this Rule 132 Declaration, the following considerations are urged:

- a) No one, with Dr. Carpenter's academic and professional credentials – a doctorate in nuclear engineering; an Associate Professorship at the United States Air Force Academy; full professorships, one in electrical engineering at Colorado Technical University and the other in Physics at Chapman College; Dean of electrical and computer engineering at Colorado Technical University; winner of the von Karman Award for science and engineering; and his impressive record of professional publications – can be a "perpetual motion machine" crank; and
- b) Dr. Carpenter's experimental data and technical analysis of these data, culminating in the observation on page 4 of the enclosed Rule 132 Declaration that some observed energy ( $2E_{2A}$ ) in the experiment comes from a previously unrecognized source, thus confirms that the claimed apparatus converts the kinetic energy of masses moving relative to each other into useful work.

The other references cited by the Examiner have been noted.

In summary, the Examiner is urged to withdraw the rejection of claims 1 through 8, inclusive, under 35 U.S.C. § 101 as lacking utility on the ground of inoperativeness and withdraw the requirement to furnish a working model of the invention. Applicant's Rule 132 Declaration, it is submitted, clearly establishes the availability of additional energy in the given test conditions that had heretofore not been noticed. As further established in the attached Rule 132 Declaration, the claimed invention clearly is operable and does not violate basic scientific principles.

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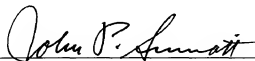
\* Please note the typographical error on page 3, line 20 of the Rule 132 Declaration. As shown "x<sub>2</sub>" is incorrect and should be --x<sub>3</sub>--.

Accordingly, early allowance of claims 1 through 8, inclusive, is earnestly solicited.

The Examiner is asked to telephone applicant's undersigned counsel at the number noted below if it will advance the prosecution of this case.

Respectfully submitted,

LANGDALE, VALLOTTON, LINAHAN  
& WETHERINGTON



JOHN P. SINNOTT  
Attorney for Applicant  
US Patent and Trademark  
Office Registration No. 21,001

March 7, 2003  
PO Box 1547  
1007 N. Patterson Street  
Valdosta, GA 31603-1547  
P:(229) 244-5400  
F:(229) 244-5475

What is claimed is:

1. A device for converting kinetic energy into electrical energy comprising, a [fast] first moving system, a second moving system for relative movement toward and away from said first moving system, an object for transfer between said first moving system and said second moving system for developing the kinetic energy relative thereto, means for converting the kinetic energy from said object at second moving system into electrical energy.
2. A device according to claim 1 further comprising discharge means for transferring said kinetic energy extracted object from said second moving system to said first moving system to develop the kinetic energy relative to said second moving system, and further kinetic energy extracting means for converting kinetic energy from said object at said first moving system into electrical energy.
3. A device according to claim 1 wherein said object is magnetizable.
4. A device according to claim 1 wherein said object is a rod for selective reciprocation between said first and second moving systems.
5. A device according to claim 3 wherein said means for converting the kinetic energy from said object into electrical energy has an electrically conductive coil.
6. A device according to claim 2 wherein said discharge means has an electrically conductive coil.
7. A device according to claim 1 wherein said first and second moving systems each have respective drive shafts coupled thereto, fly-wheels connected to said drive shafts and driven thereby, each of said fly-wheels having gear teeth, gears meshing with said fly-wheel gear teeth, driven by and driving said meshing gears for selectively producing electrical energy and kinetic energy.
8. A device according to claim 4 wherein said rod comprises a shaft having a transverse array of ridges formed along the length thereof, and an end to said shaft, a tube for said second moving system for selective mating with said shaft, said tube having openings formed therein, and gears protruding through said respective openings, said gears meshing with said ridges and being driven thereby as said shaft reciprocates between said first and second moving systems, motor generators coupled to said gears and being driven thereby to selectively produce electrical power and to drive said shaft.